

IC 3-7-14

Chapter 14. Registration Procedures at License Branches

IC 3-7-14-1

Purpose of chapter

Sec. 1. This chapter prescribes voter registration procedures in Indiana's motor vehicle authority as provided in 42 U.S.C. 1973gg-3. *As added by P.L.12-1995, SEC.23.*

IC 3-7-14-2

Applicability of definitions

Sec. 2. (a) Except as provided in subsection (b), the definitions in IC 9-13-2 apply to this chapter.

(b) A reference to the "commission" in this chapter is a reference to the Indiana election commission unless otherwise stated.

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.18.

IC 3-7-14-3

Bureau of motor vehicles commission as authority

Sec. 3. The bureau of motor vehicles commission is the state's motor vehicle authority for purposes of NVRA.

As added by P.L.12-1995, SEC.23.

IC 3-7-14-4

Application for voter registration

Sec. 4. An application to obtain or renew a motor vehicle driver's license, permit, or identification card serves as an application for voter registration:

(1) under this article; and

(2) as provided in 42 U.S.C. 1973gg-3(a)(1);

unless the applicant fails to sign the voter registration application.

As added by P.L.12-1995, SEC.23.

IC 3-7-14-5

Voter registration application form provided with application for driver's license

Sec. 5. As provided in 42 U.S.C. 1973gg-3(c)(1), the bureau of motor vehicles commission shall include a voter registration application form as a part of the application for a driver's license prescribed under IC 9-24.

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.19.

IC 3-7-14-6

Design of registration form

Sec. 6. The commission shall prescribe the design of the registration form required under section 5 of this chapter.

As added by P.L.12-1995, SEC.23. Amended by P.L.2-1996, SEC.17.

IC 3-7-14-7

Requirements of registration form

Sec. 7. As provided in 42 U.S.C. 1973gg-3(c)(2), the registration form described in section 5 of this chapter must meet the following requirements:

- (1) The form may not require information that duplicates information required in the driver's license application part of the form, except as set forth in subdivision (3).
- (2) The form may require only the minimum amount of information necessary to do the following:
 - (A) Prevent duplication of voter registrations.
 - (B) Permit the circuit court clerk or board of registration to:
 - (i) assess the eligibility of the applicant; and
 - (ii) administer the election and voter registration system.
- (3) The form must include a statement that does the following:
 - (A) Sets forth each eligibility requirement for registration (including citizenship).
 - (B) Contains an attestation that the applicant meets each of the eligibility requirements.
 - (C) Requires the signature of the applicant, under penalty of perjury.
- (4) The form must include the following, in print that is identical to the print used in the attestation part of the application:
 - (A) Information setting forth the penalties provided by law for submission of a false voter registration application.
 - (B) A statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes.
 - (C) A statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

As added by P.L.12-1995, SEC.23.

IC 3-7-14-8

Procedures for registration

Sec. 8. To register under this chapter, an individual must do the following while on the premises of the license branch:

- (1) Complete the voter registration application under section 4 of this chapter.
- (2) Present the application to an employee of the license branch.

As added by P.L.12-1995, SEC.23.

IC 3-7-14-9 Version a

Duties of employees in providing application

Note: This version of section effective until 3-16-2004. See also following version of this section, effective 3-16-2004.

Sec. 9. An employee of the commission who provides an

individual with a driver's license or identification card application shall do the following:

(1) Inform each individual who applies for a driver's license or an identification card that the information the individual provides on the individual's application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote;

(B) the individual declines to register to vote or fails to complete the voter registration part of the application; or

(C) the individual answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application if requested to do so by the individual.

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the license branch manager (or the employee designated by the manager to be responsible for voter registration services) for transmittal to the appropriate circuit court clerk or board of registration.

(5) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

(6) Inform each individual who submits a change of address for a driver's license or identification card that the information serves as notice of a change of address for voter registration unless the applicant states in writing on the form that the change of address is not for voter registration purposes.

As added by P.L.12-1995, SEC.23. Amended by P.L.9-2004, SEC.5.

IC 3-7-14-9 Version b

Duties of employees providing application; transmittal of completed application

Note: This version of section effective 3-16-2004. See also preceding version of this section, effective until 3-16-2004.

Sec. 9. (a) An employee of the bureau of motor vehicles commission who provides an individual with a driver's license or identification card application shall do the following:

(1) Inform each individual who applies for a driver's license or an identification card that the information the individual provides on the individual's application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote;

(B) the individual declines to register to vote or fails to complete the voter registration part of the application; or

(C) the individual answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter

registration application if requested to do so by the individual.

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the license branch manager (or the employee designated by the manager to be responsible for voter registration services) for transmittal to the appropriate circuit court clerk or board of registration.

(5) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

(6) Inform each individual who submits a change of address for a driver's license or identification card that the information serves as notice of a change of address for voter registration unless the applicant states in writing on the form that the change of address is not for voter registration purposes.

(b) The bureau of motor vehicles commission shall transmit a voter registration form completed after December 31, 2005, to the election division for transmittal to the appropriate county voter registration office in accordance with IC 3-7-26.3.

As added by P.L.12-1995, SEC.23. Amended by P.L.9-2004, SEC.5; P.L.14-2004, SEC.20.

IC 3-7-14-10

Duties of employees if applicant registering to vote after twenty-ninth day before primary, general, municipal, or special election

Sec. 10. If an individual is registering to vote after the twenty-ninth day before the date that a primary, general, municipal, or special election is scheduled in the precinct where the voter resides, the employee of the bureau of motor vehicles commission who provides an individual with a driver's license or an identification card application shall do the following:

(1) Inform the individual that license branch registration will not permit the individual to vote in the next election.

(2) Inform the individual of other procedures the individual may follow to vote in the next election.

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.21.

IC 3-7-14-11

Written acknowledgment of application; format

Sec. 11. Whenever an applicant completes a voter registration application under section 4 of this chapter, the bureau of motor vehicles commission shall provide the applicant with a written acknowledgment that the applicant has completed a voter registration application at a license branch. The acknowledgment:

(1) may be:

(A) a detachable part; or

(B) after December 31, 2005, an electronic version;

of the registration form prescribed under section 4 of this chapter; and

(2) must set forth the name and residential address of the applicant and the date that the application was completed.

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.22.

IC 3-7-14-12

Submission of application; application to be forwarded

Sec. 12. (a) An applicant who completes a voter registration application under section 4 of this chapter is not required to submit the application to a county voter registration office.

(b) The bureau of motor vehicles commission shall forward the voter registration part of the application to a county voter registration office not later than five (5) days after the date of acceptance and as provided in IC 9-24-2.5 and 42 U.S.C. 1973gg-3(c)(2)(E). This subsection expires January 1, 2006.

(c) This subsection applies after December 31, 2005. The bureau of motor vehicles commission shall forward the voter registration part of the application to the election division for transmittal to the appropriate county voter registration office on an expedited basis in accordance with IC 3-7-26.3, IC 9-24-2.5 and 42 U.S.C. 1973gg-3(c)(2)(E).

As added by P.L.12-1995, SEC.23. Amended by P.L.3-1995, SEC.22; P.L.2-1996, SEC.18; P.L.14-2004, SEC.23.

IC 3-7-14-13

Confidentiality of information

Sec. 13. Voter registration information received or maintained by the bureau of motor vehicles commission under this chapter is confidential and may be used only for voter registration purposes as provided in this article, 42 U.S.C. 1973gg-3(b), and 42 U.S.C. 1973gg-6(a)(6).

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.24.

IC 3-7-14-14

Updating voter registration record

Sec. 14. Except as provided in section 15 of this chapter, an application under section 4 of this chapter authorizes a county voter registration office to update the voter registration record of the applicant:

(1) under 42 U.S.C. 1973gg-3(a)(2) unless the applicant fails to sign the voter registration application; or

(2) after December 31, 2005, in a manner authorized under IC 3-7-26.3.

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.25.

IC 3-7-14-15

Updating voter registration record; exceptions

Sec. 15. As provided in 42 U.S.C. 1973gg-3(d), a circuit court clerk or board of registration may update the address in the voter registration of an applicant, unless the applicant indicates on an application to obtain or renew a motor vehicle driver's license (or any other change of address form submitted to the clerk or board by the bureau of motor vehicles commission) that the change of address of the applicant is not for voter registration purposes.

As added by P.L.12-1995, SEC.23. Amended by P.L.14-2004, SEC.26.

IC 3-7-14-16**Notification to applicant of disposition**

Sec. 16. The circuit court clerk or board of registration shall, upon receiving a completed application under section 12 of this chapter, notify the applicant of the disposition of the application in the manner prescribed under IC 3-7-33 and as required under 42 U.S.C. 1973gg-6(a)(2).

As added by P.L.12-1995, SEC.23.

IC 3-7-14-17**Prohibited acts**

Sec. 17. As provided in 42 U.S.C. 1973gg-5(a)(5), an employee or a volunteer of the office shall not do any of the following:

- (1) Seek to influence an applicant's political preference or party registration.
- (2) Display any political preference or party allegiance, including any pictures, photographs, or other likenesses of any currently elected federal, state, county, or local official.
- (3) Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.
- (4) Make any statement to an applicant or take any action whose purpose or effect is to lead the applicant to believe that a decision whether or not to register has any bearing on the availability of services or benefits.

As added by P.L.12-1995, SEC.23.